

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

KENNETH P. RAINEY

PLAINTIFF

VS.

CAUSE NO. 3:07CV154-B-A

**CITY OF RIPLEY, MISSISSIPPI, COUNTY
OF TIPPAAH, MISSISSIPPI, TIPPAAH COUNTY
SHERIFF'S DEPARTMENT, CITY OF RIPLEY
POLICE DEPARTMENT, KEN WALKER, BERT WILKINS,
AND SCOTT WHITE**

DEFENDANTS

SPECIAL APPEARANCE BRIEF WAIVER REQUEST

COME NOW, Tippah County, Mississippi, the Tippah County Sheriff's Department (if it is a separate entity than Tippah County, Mississippi) and Tippah County Deputy Sheriff Bert Wilkins and, by special appearance, request that the Brief in Support of the Special Appearance Motion for Protective Order be waived due to the self evident nature of the Motion in the nature of a Special Appearance.

This the 14th day of April, 2009.

Respectfully submitted,

/s/Katherine S. Kerby MSB # 3584

Kerby Law Firm L.L.C.

Attorney for Defendants, Tippah County,
Mississippi, Tippah County Sheriff's Department,
and Bert Wilkins

OF COUNSEL:

Katherine S. Kerby,

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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of April, 2009, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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/s/Katherine S. Kerby

KATHERINE S. KERBY